

ORDINANCE NO. 2152

AN ORDINANCE ISSUING A CONDITIONAL USE PERMIT ON CERTAIN LANDS LOCATED IN THE CITY OF GARDNER, KANSAS, UNDER THE AUTHORITY GRANTED BY THE GARDNER, KANSAS, ZONING ORDINANCE.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF GARDNER, KANSAS:

SECTION ONE: That having received a recommendation from the Planning Commission, and proper notice having been given and hearing held as provided by law and under the authority of and subject to the provisions of the Gardner, Kansas, Zoning Ordinance, a Conditional Use Permit is issued on lands legally described as follows:

CASE NO. CUP-05-02

The operation of a Electric Sub Station in an A, Agricultural District, located on the west side of Waverly Road, ¼ mile north of 167th Street, subject to the following conditions:

- a) The development shall be in accordance with Exhibit "A" (Site Plan) which is filed in the office of the Planning Commission Secretary and which is incorporated by reference as if set out in full herein. In addition, the development shall comply with all regulations and standards of the City of Gardner unless specifically exempted by the Governing Body.
- b) The subject property shall be final platted.

Legal Description: All that part of the Southeast Quarter of Section 15, Township 14, Range 22, Johnson County, Kansas, described as follows: Commencing at the southeast corner of said Section 15; thence north 0 degrees 20 minutes 08 seconds West, along the East line of the Southeast Quarter of said Section 15, a distance of 1076.27 feet, to the point of beginning; thence North 89 degrees 53 minutes 47 seconds West, parallel to the south line of the southeast Quarter of said Section 15, a distance of 548.39 feet; thence North 73 degrees 45 minutes, 42 seconds West, a distance of 117.43 feet; thence North 0 degrees 20 minutes 08 seconds West, parallel to the East line of the Southeast Quarter of said Section 15, a distance of 240.00 feet; thence north 39 degrees 14 minutes 11 seconds East, a distance of 332.63 feet; thence north 68 degrees 58 minutes, 08 seconds East, a distance of 480.00 feet, to a point on the East line of the Southeast Quarter of said Section 15; thence South 0 degrees 20 minutes 08 seconds East, along the East line of the Southeast Quarter of said Section 15, a distance of 703.73 feet, to the point of beginning, containing 8.27 acres more or less.

SECTION TWO: That upon the taking effect of this Ordinance, the above conditional use permit shall be incorporated and shown on the Zoning District Map previously adopted by reference, and said Zoning District Map is hereby reincorporated as a part of the Zoning Ordinance as amended.

SECTION THREE: That this Ordinance shall take effect and be in force for an indefinite period of time from and after its adoption by the City Council and publication in the official City Newspaper.

PASSED and APPROVED this 20th day of June, 2005.

Carol Lehman, Mayor

ATTEST:

Gwen Scott, City Clerk

(SEAL)